

AMENDED IN SENATE MAY 28, 2010

AMENDED IN ASSEMBLY MAY 11, 2010

AMENDED IN ASSEMBLY APRIL 14, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 2386**

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**Introduced by Assembly Members Gilmore and Cook**

February 19, 2010

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An act to add and repeal Section 714 of the Business and Professions Code, relating to the Armed Forces.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2386, as amended, Gilmore. Armed Forces: medical personnel.

Existing federal law authorizes a health care professional, as defined, to practice his or her health profession in any state or territory without licensure by that state if he or she has a current license to practice the health profession and is performing authorized duties for the Department of Defense.

Existing state law provides that no board that licenses dentists, physicians and surgeons, podiatrists, or nurses may require a person to obtain a California license to practice his or her profession in this state if the person is employed by, or has a contract with, the federal government and is rendering services in a facility of the government or the person is practicing as part of a program or project conducted by the federal government which, by federal statute, exempts persons in the program from state licensure, as specified.

This bill, until January 1, 2016, would authorize a hospital to enter into an agreement with the Armed Forces of the United States to authorize a physician and surgeon, physician assistant, or registered

nurse to provide medical care in the hospital if the health care professional holds a valid license in good standing in another state or territory, the medical care is provided as part of a training or educational program designed to promote the combat readiness of the health care professional, and the agreement complies with federal law. The bill would exempt those health care professionals from licensure or relicensure by the State of California while practicing under an agreement, *but would require those health care professionals to register with the board that licenses that health care profession in this state and to wear a specified name tag while working.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 714 is added to the Business and  
2 Professions Code, to read:

3 714. (a) A hospital may enter into an agreement with the  
4 Armed Forces of the United States to authorize a physician and  
5 surgeon, physician assistant, or registered nurse to provide medical  
6 care in the hospital if all of the following apply:

7 (1) The physician and surgeon, physician assistant, or registered  
8 nurse holds a valid license in good standing to provide medical  
9 care in the District of Columbia or any state or territory of the  
10 United States.

11 (2) The medical care is provided as part of a training or  
12 educational program designed to promote the combat readiness of  
13 the physician and surgeon, physician assistant, or registered nurse.

14 (3) The agreement complies with Section 1094 of Title 10 of  
15 the United States Code and any regulations or guidelines adopted  
16 pursuant to that section.

17 *(b) A physician and surgeon, physician assistant, or registered*  
18 *nurse who is authorized to practice pursuant to subdivision (a)*  
19 *shall disclose, while working, on a name tag in at least 18-point*  
20 *type, his or her name and license status, his or her state of*  
21 *licensure, and a statement that he or she is a member of the Armed*  
22 *Forces of the United States.*

23 ~~(b)~~

24 (c) (1) If an agreement is entered into pursuant to subdivision

25 (a), no board under this division that licenses physicians and

1 surgeons, physician assistants, or registered nurses may require a  
2 person under subdivision (a) to obtain or maintain any license to  
3 practice his or her profession or render services in the State of  
4 California.

5 *(2) Notwithstanding paragraph (1), a physician and surgeon,*  
6 *physician assistant, or registered nurse who enters into an*  
7 *agreement pursuant to subdivision (a) shall register with the board*  
8 *that licenses his or her respective health care profession in this*  
9 *state on a form provided by that board.*

10 ~~(e)~~

11 *(d)* This section shall remain in effect only until January 1, 2016,  
12 and as of that date is repealed, unless a later enacted statute, that  
13 is enacted before January 1, 2016, deletes or extends that date.